

Women like Patricia Pliego Stout, owner of the Alamo Travel Group, headquartered in San Antonio. Ms. Pliego Stout has grown a small travel business into the fourth largest agency in San Antonio. In recognition of her achievements and, as importantly, her encouragement and support of other women entrepreneurs in Texas, Ms. Pliego Stout was recently appointed to the National Women's Business Council, which promotes the goal of woman business ownership.

There are countless other success stories, as well. Unfortunately, there are also far too many stories of lack of access to adequate capital, of inability to break into established government and contracting networks, and other problems that continue to hamper women as they seek to become financially independent and to contribute to their greater economy and community.

As a United States Senator, I have worked hard to break down some of these barriers, and to open more opportunities to more people of all backgrounds and talents. In particular, I was proud to have been able to lead the effort in Congress to establish a 5 percent federal government-wide contracting goal for woman-owned small businesses. In addition, I have worked to expand such successful federal efforts as the Women's Business Centers program, which helps women with those critical first steps of starting a business. In addition, of assistance to all small businesses, including a disproportionate number of woman-owned businesses, I have worked to limit the federal government procurement practice of "bundling" contracts, which can also leave newly-formed firms out of the contracting game.

Mr. President, I again congratulate the women in Texas and across the nation who every day continue to overcome obstacles and who create success, jobs, and wealth through their sheer determination and energy. The events and activities of National Women's Business Week are evidence that women business ownership is alive and well, to the betterment of us all.

AGRICULTURAL JOB OPPORTUNITY BENEFITS AND SECURITY ACT OF 1999

Mr. SMITH of Oregon. Mr. President, I rise with Senators GRAHAM, CRAIG, CLELAND, MCCONNELL, COVERDELL, MACK, COCHRAN, HELMS, GRAMS, CRAPO, BUNNING, and VOINOVICH to encourage support of S. 1814, the Agricultural Job Opportunity Benefits and Security Act of 1999.

Our bill will reform the agricultural labor market, establish and maintain immigration control, provide a legal workforce for our farmers, and restore the dignity to the lives of thousands of farmworkers who have helped make the U.S. economy the powerhouse that it is today.

I am sure you are aware of the problems that have arisen within American

agriculture. For many years, employers in the agricultural industry have struggled to hire enough legal workers to harvest their produce and plants.

As one of the most rapidly growing industries in this country, we can only expect the demand for agricultural labor jobs to continue to rise. When coupled with the lowest unemployment rates in decades, a crackdown on illegal immigration, and increased Social Security audits, the agriculture industry—and ultimately its consumers—face a crisis of devastating proportions.

Contrary to some media accounts, these labor shortages and the need for a revised H-2A temporary foreign worker program exist around the country. Mr. President, my colleagues all agree with the General Accounting Office's (GAO) statement that while the labor shortage is not caused by one single problem, regional shortages stemming from region-specific problems do exist.

We have a shortage of legal workers in this country and the GAO estimates that there are in excess of 600,000 self-identified illegal aliens currently employed in U.S. agriculture. Another survey done by the Department of Labor also revealed that more than 70 percent, or about 1 million, of those hired to work on U.S. farms are here illegally.

Due to the highly sophisticated fraudulent documents in circulation and strict U.S. laws prohibiting employers from scrutinizing these documents too carefully, thousands of illegal workers have been unknowingly hired as a result. This situation leaves many agricultural employers vulnerable to potential labor shortfalls in the event of concentrated or targeted Immigration and Naturalization Service (INS) enforcement efforts or Social Security Administration audits.

Immigrants are also severely impacted when they must work as undocumented workers. These foreign workers risk their lives paying human "coyotes" \$1,200 to be smuggled across the desert border in the trunk of a car to work in this country. Because of the risks these foreign workers face in coming here and the difficulty of returning if they leave for a visit home, many go for years without seeing their spouses and children, some never return home. These illegal workers are extremely vulnerable to these "coyotes" and other dark elements of society that prey upon them, prohibiting the basic human rights of life, liberty, and the pursuit of happiness.

A recent survey published by the William C. Velasquez Institute demonstrated that a vast majority of registered Latino voters support a new farmworker program. In addition to supporting higher wages and unionization for farmworkers, the overwhelming majority of registered Latino voters—76% in California and 67% in Texas—supported a program where "illegal immigrant" farmworkers were allowed to become per-

manent residents in exchange for several years of mandatory agricultural labor.

This poll clearly demonstrates that the current farm labor system serves no one well. Farmworkers support changing an illegal system that victimizes them and their families.

This issue is not new to Congress. Our government's H-2A agricultural guest worker program was designed in part to help solve the labor problems facing our farmers. Instead of helping, the H-2A program—the only legal temporary agricultural worker program in the United States—it merely adds bureaucratic red tape and burdensome regulations to the growing crisis. And it is failing those who use it.

The H-2A program is not practicable for the agriculture and horticulture industry because it is loaded with burdensome regulations, excessive paperwork, a bureaucratic certification process and untimely, inconsistent, and hostile decision-making by the U.S. Department of Labor. This program is over 50 years old.

To illustrate, Mr. President, this is the application I filled out to run for the United States Senate. It is one page, front and back.

This is the Department of Labor's 325-page handbook, from January 1988, which attempts to guide employers through the H-2A program's confusing application process. The GAO itself found that this handbook is outdated, incomplete, and very confusing to the user.

Even the December 1997 GAO report illustrated the burdensome H-2A process with which employers must comply in order to bring in legal, foreign workers. A grower must apply to multiple agencies to obtain just one H-2A worker. This process is further complicated by the multiple levels of government, redundant levels of oversight and conflicting administrative procedures and regulations. Also, as reported by the recent Department of Labor Inspector General, the H-2A program does not meet the interests of domestic workers because it does a poor job of placing domestic workers in agricultural jobs.

We are looking for solutions to not only make it easier for employers to hire legal workers to harvest their crops, but also to ensure that U.S. workers find jobs and are treated fairly in the process.

Our bill is a win-win-win for farmers, farmworkers, and immigration control. It reforms the agricultural labor market and establishes and maintains immigration control. It gives farmers the stability of a legal workforce and the certainty that the crops will be harvested in a timely manner. It gives farmworkers the ability to earn the right to legal status, avoid the risks of undocumented status and receive U.S. labor law protections. It addresses a status quo that persons on both sides of the issue agree is indefensible, but until now, has been too easy to ignore. It is a balanced bill that seeks both

short and long-term solutions to the crisis in farm labor.

Our bill will allow farmworkers who have a proven history of agricultural employment to eventually adjust to legal status in this country. Serious agricultural workers who are willing to commit to work several years in agricultural employment will receive non-immigrant status and the rights that go with it.

If employment requirements are met, workers can eventually adjust to permanent resident status, allowing them to remain in the U.S. year-round. Utilizing the skills of the existing farmworker workforce, a majority of whom are undocumented status in the United States, would reduce the number of temporary H-2A workers needed. It allows hardworking farmworkers seeking to better themselves and their families the opportunity to earn the right to legal status.

At the same time, the current temporary farmworker program—called H-2A—will be reformed to make it more responsive, affordable and usable by the average family farmer who needs temporary help to produce and harvest agricultural crops and commodities. The need and risks of illegal immigration are removed.

Our bill provides a system or registry where our unemployed U.S. workers can go to find out about job openings on our U.S. farms. Any legal U.S. resident who wants to work in agriculture will get the absolute right of first refusal for any and all jobs that become available. After the Department of Labor determines that a shortage of domestic workers exists, farmers would be able to recruit adjusted workers. If a shortage of adjusted workers is found, farmers could then utilize H-2A workers. This ensures that employers hire workers already in the U.S. before recruiting foreign guest workers.

Our bill also improves the conditions of the farm workers' lives and provide them the dignity they deserve. These needed benefits include providing a premium wage, providing housing and transportation benefits, guaranteeing basic workplace protections, and extending the Migrant and Seasonal Workers Protection Act to all workers.

To add more protections for the health, safety, and security of farmworkers, our bill establishes a commission that would study problems with farmworker housing. Our bill also directs the Department of Labor and Department of Agriculture to study field sanitation, childcare and child labor violations, labor standards enforcement and to ultimately make recommendations for long-term changes and improvements.

I am very concerned that workers are protected, but let's not forget that growers have been victimized by this process too. In order to feed their families—and yours—the growers need to harvest their crops on time, meet their payroll, and ultimately maintain their bottom line. Without achieving those

things, farms go out of business and the jobs they create are lost along with them. So it is in all of our best interests—workers, growers, and consumers alike—that growers have the means by which to hire needed legal workers.

While I don't have a crystal ball to predict the future of the indefensible status quo, I can tell you that we will have a major economic and social crisis on our U.S. farmlands if there is not an improvement over the current process.

Let's not keep making fugitives out of farmworkers and felons out of farmers.

I urge my fellow colleagues to join Senators GRAHAM, CRAIG, CLELAND, MCCONNELL, COVERDELL, MACK, COCHRAN, HELMS, GRAMS, CRAPO, BUNNING, VOINOVICH, and me in support of this important bipartisan legislation.

CHILDREN'S MARCH FOR GUN CONTROL

Mr. LEVIN. Mr. President, yesterday, students from around the country came to Washington to ask for help. Students participating in the Children's March for Gun Control marched hand-in-hand to Capitol Hill with a simple demand: to keep them safe from guns.

Members of Congress should tune out the NRA, and start listening to these children—who have to face the fear of guns everyday. The children from across the country are pleading that Congress create an environment free from fear and violence. These children are armed, not with firearms, but with letters, urging Congress to end the epidemic of gun violence that claims the lives of thousands of their peers each year.

Yet, while Congress should be passing comprehensive legislation to prevent school shootings like those in Conyers, Littleton, Springfield, Edinboro, Jonesboro, West Paducah, Pearl and the many others, it cannot even muster enough votes to take UZIs and AK-47s out of the hands of 15 year olds. After Columbine, the Senate took a few steps to protect children from gun violence. We passed legislation to prohibit juveniles from owning semiautomatic weapons and large capacity ammunition devices. We passed an amendment to require that handguns be sold with trigger locking devices to protect children. And we passed an amendment to close the gun show loophole, ensuring juveniles and others cannot use these shows as a convenient way to circumvent the safeguards applied to normal sales through licensed gun dealers.

That legislation was a first step, but it still falls short of closing loopholes which allow our youth easy access to deadly weapons. For example, one of our most important tasks yet will be to ban handguns and semiautomatic assault weapons for persons under 21 years of age. Yet, even the most minimal effort to end gun violence has been stymied in the House of Representa-

tives, where they have passed no gun safety legislation. And any effort to come to some agreement has been repeatedly stalled by the Republican leadership.

It was great to welcome such a group of dedicated young people to the nation's Capitol. I encourage them to keep up their effort and to speak out for those children who have been silenced by guns. Over time, these children are sure to accomplish what other nations have done: end the plague of gun violence.

LONG-PENDING JUDICIAL NOMINATIONS BEFORE THE SENATE

Mr. LEAHY. Mr. President, I thank the Majority Leader for the proposal he made to the Senate last night on moving a portion of the Executive Calendar. I would like to see those nominees he mentioned confirmed as well as the others on the calendar. I want to work with him to have them all considered and confirmed. I want to be sure that the Senate treats them all fairly and accords each of them an opportunity for an up or down vote. I want to share with you a few of the cases that cry out for a Senate vote:

The first is Judge Richard Paez. He is a judicial nominee who has been awaiting consideration and confirmation by the Senate since January 1996—for over 3½ years. The vacancy for which Judge Paez was nominated became a judicial emergency during the time his nomination has been pending without action by the Senate. His nomination was first received by the Senate almost 45 months ago and is still without a Senate vote. That is unconscionable.

Judge Paez has twice been reported favorably by the Senate Judiciary Committee to the Senate for final action. He is again on the Senate calendar. He was delayed 25 months before finally being accorded a confirmation hearing in February 1998. After being reported by the Judiciary Committee initially in March 1998, his nomination was held on the Senate Executive Calendar without action or explanation for over 7 months, for the remainder of the last Congress.

Judge Paez was renominated by the President again this year and his nomination was stalled without action before the Judiciary Committee until late July, when the Committee reported his nomination to the Senate for the second time. The Senate refused to consider the nomination before the August recess. I have repeatedly urged the Republican leadership to call this nomination up for consideration and a vote. The Republican leadership in the Senate has refused to schedule this nomination for an up or down vote.

Judge Paez has the strong support of both California Senators and a 'well-qualified' rating from the American Bar Association. He has served as a municipal judge for 13 years and as a federal judge for four years.

In my view Judge Paez should be commended for the years he worked to